

JAN 26 2009



FEDERAL ELECTION COMMISSION

Washington, D.C. 20463

SENSITIVE

MEMORANDUM

TO: The Commission

FROM: Thomasenia P. Duncan
General Counsel

Ann Marie Terzaken
Associate General Counsel for Enforcement

BY: Roy Q. Luckett *RAL*
Acting Assistant General Counsel

Kathryn J. Lefebvre *KJL*
Attorney

SUBJECT: MUR 6106 (Minnesota Corn Growers Association PAC *et al.*)

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COMMISSION
SECRETARIAT
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Attached is a proposed conciliation agreement that has been signed by counsel for the Minnesota Corn Growers Association ("MCGA"), Minnesota Corn Growers Association PAC, and Michael McCarvel, in his official capacity as treasurer ("MCGA PAC"), and MN Corn PAC, and Michael McCarvel, in his official capacity as treasurer ("MN Corn"). The agreement would settle MCGA's violation of 2 U.S.C. §§ 441b(b)(4)(C) and (D) by soliciting outside its restricted class and MCGA PAC's violation of 2 U.S.C. § 433(b)(2) by failing to disclose its affiliation with MN Corn. It would also settle MN Corn's violations of 2 U.S.C. §§ 433 and 434, failing to register and report as a political committee, 441a(a)(1), making excessive contributions, 441b(a) accepting prohibited contributions, and 11 C.F.R. § 102.5(a)(2), accepting funds used in connection with federal elections without the required notices.

1 _____ recommend that the Commission accept the attached conciliation
2 agreement and close the file.
3

4 **RECOMMENDATIONS:**
5

6 1. Accept the signed conciliation agreement with the Minnesota Corn Growers
7 Association, Minnesota Corn Growers Association PAC, and Michael McCarvel, in his official
8 capacity as treasurer, and MN Corn PAC, and Michael McCarvel, in his official capacity as
9 treasurer.

10
11 2. Approve the appropriate letter.

12
13 3. Close the file.
14

15
16 **Attachment:**

17 1. Signed Conciliation Agreement
18 _____

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